

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

*In Re* Flint Water Cases

No. 5:16-cv-10444-JEL-EAS

HON. JUDITH E. LEVY

MAG. ELIZABETH A. STAFFORD

**DECLARATION OF THEODORE J. LEOPOLD IN SUPPORT OF  
CLASS PLAINTIFFS' RESPONSE IN OPPOSITION TO DEFENDANT  
VNA'S MOTION TO PROHIBIT IMPROPER JURY ARGUMENT**

Pursuant to 28 U.S.C. § 1746, I, Theodore J. Leopold, declare as follows:

1. I am a partner of the law firm Cohen Milstein Sellers & Toll PLLC and I, along with Michael L. Pitt of the law firm Pitt McGehee Palmer Bonanni & Rivers, P.C., serve as Court-appointed Co-Lead Class Counsel in the above captioned matter. I have personal knowledge of the matters stated in this Declaration.

2. Attached as Exhibit A is a true and correct copy of excerpts of the June 28, 2021 deposition of Brian Clarke, witness for VNA under Rule 30(b)(6).

3. Attached as Exhibit B is a true and correct copy of VNA's Response to Invitation to Bid, dated January 29, 2015.

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed on December 14, 2023  
Palm Beach Gardens, Florida

/s/ Theodore J. Leopold  
Theodore J. Leopold

### **CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing instrument was filed with the U.S. District Court through the ECF filing system and that all parties to the above case were served via the ECF filing system on December 14, 2023.

Dated: December 14, 2023

By: /s/Theodore J. Leopold

Theodore J. Leopold

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